

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

The Huntington National Bank successor to TCF
Bank

Plaintiff,

v.

Angelo Smith, individually and d/b/a Smithson
Wine and Spirits

Defendants.

Case No. 2021-cv-06419

Assigned Judge: Matthew F. Kennelly

Magistrate Judge: Gabriel A. Fuentes

MOTION FOR CONDITIONAL JUDGMENT

NOW COMES Plaintiff, The Huntington National Bank successor to TCF Bank, (“Plaintiff”), by its attorneys, Plunkett Cooney, P.C., and moves this Court for a Conditional Judgment against Third Party Citation Respondent Mo’Nique Smith and Smithson Venture Capitalist Enterprise Corporation. In support of its motion, Plaintiff states as follows:

1. On March 3, 2022, this Court entered judgment in favor of Plaintiff and against Angelo Smith, individually and d/b/a Smithson Wine and Spirits (“Defendant”). Exhibit A.
2. On August 3, 2022, this Court granted Plaintiff’s motion for alternative service (Doc 74) (a duplicate motion was filed as doc. 78) to serve Plaintiff’s 735 ILCS 5/2-1402 citation on Angelo Smith (“Citation”), and a third-party citation on Mo’Nique Smith. See Doc. 79.
3. Thereafter Plaintiff served the Citation and Third-Party Citation to Mo’Nique and Angelo Smith by certified mail, overnight mail, and posting. See Group Exhibit B. Plaintiff also have the process server attempt regular service. See

Exhibit B. A detailed in the process server's affidavit, he posted the Citation and third-party citation to Monique at the addresses listed in Plaintiff's motion for alternative service, and on his return visits, found the postings had been removed. *Id.* Moreover, on one attempt the server made contact with a man who directed a child to close the door on the process server and draw the blinds. *Id.* A copy of the Citation and third-party citation to Mo'Nique are attached hereto as Exhibits C and D.

4. Plaintiff also served a third-party citation on Smithson Venture Capitalist Enterprise Corporation. Exhibit E. Plaintiff served the Illinois Secretary of State since its registered agent could not be found at the address listed with the Secretary of State. See Group Exhibit F. The third-party citation to Mo'Nique and Smithson Capital are hereafter collectively referred to as "Third Party Citations"
5. The return date for the Citation and Third-Party citations is September 9, 2022.
6. Plaintiff has not received any response from third party citation respondents Mo'Nique Smith and Smithson Venture Capitalist Enterprise Corporation.
7. In the event that Mo'Nique Smith and Smithson Venture Capitalist Enterprise Corporation fail to serve a response before the September 9, 2022, return date and fail to appear in court on September 9, Plaintiff requests the entry of a conditional judgment in the full amount of the judgment, that being \$127,750.00. 735 ILCS 5/2-1402(k-3) (court may enter any order in citation proceedings that could be entered in a garnishment); 735 ILCS 5/12-706

(authorizing entry of conditional judgment); *All-Steel Employees Credit Union v. Singh*, 345 Ill.App.3d 1005, 1009 (2d Dist. 2004) (upholding conditional judgment entered in citation proceeding where respondent failed to appear or answer). Illinois procedure regarding supplementary proceedings governs Plaintiff's citations and this proceeding. Fed. R. Civ. P. 69(a); *Resolution Trust Corp. v Ruggiero*, 994 F.2d 1221, 1226 (7th Cir. 1993).

WHEREFORE, Plaintiff, The Huntington National Bank successor to TCF Bank, respectfully requests this Court, in the event that Mo'Nique Smith and Smithson Venture Capitalist Enterprise Corporation fail to serve a response to the Third Party Citations before the September 9, 2022 return date or appear at the September 9, 2022 hearing, enter conditional judgments in the amount of \$127,750.00 in favor of Plaintiff and against Mo'Nique Smith and Smithson Venture Capitalist Enterprise Corporation, and grant such further relief to which Plaintiff is entitled.

The Huntington National Bank successor
to TCF Bank

By: /s/ Matthew L. Hendricksen
One of its Attorneys

Matthew L. Hendricksen (Attorney No. 61262)
Plunkett Cooney, P.C.
221 N. LaSalle Street, Suite 3500
Chicago, Illinois 60601
(312) 670-6900
mhendricksen@plunkettcooney.com

Open.26611.14768.29532695-1

EXHIBIT A

IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF ILLINOIS

Plaintiff(s),

v.

Defendant(s).

Case No.
Judge

AMENDED JUDGMENT IN A CIVIL CASE

Judgment is hereby entered (check appropriate box):

in favor of plaintiff(s)
and against defendant(s)
in the amount of \$

which ☐ includes pre-judgment interest.
does not include pre-judgment interest.

Post-judgment interest accrues on that amount at the rate provided by law from the date of this judgment.

Plaintiff(s) shall recover costs from defendant(s).

in favor of defendant(s)
and against plaintiff(s)

Defendant(s) shall recover costs from plaintiff(s).

other:

This action was (*check one*):

tried by a jury with Judge
tried by Judge
decided by Judge

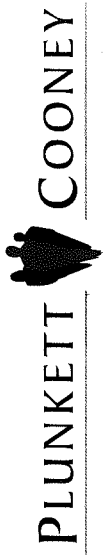
presiding, and the jury has rendered a verdict.
without a jury and the above decision was reached.
on a motion

Date:

Thomas G. Bruton, Clerk of Court

, Deputy Clerk

EXHIBIT B



ATTORNEYS & COUNSELORS AT LAW
221 N. LaSalle St., Suite 3500 • Chicago, IL 60601

Mo'Nique Smith
17900 Dixie Hwy., Ste 3B
Homewood, IL 60430



ATTORNEYS & COUNSELORS AT LAW
221 N. LaSalle St., Suite 3500 • Chicago, IL 60601

Mo'Nique Smith
17737 Cherrywood Ln.,
Homewood, IL 60430





ATTORNEYS & COUNSELORS AT LAW
221 N. LaSalle St., Suite 3500 • Chicago, IL 60601

Angelo Smith
17900 Dixie Hwy., Ste 3B
Homewood, IL 60430



ATTORNEYS & COUNSELORS AT LAW
221 N. LaSalle St., Suite 3500 • Chicago, IL 60601

Angelo Smith
17737 Cherrywood Ln.
Homewood, IL 60430



UPS CampusShip: View/Print Label

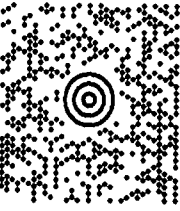

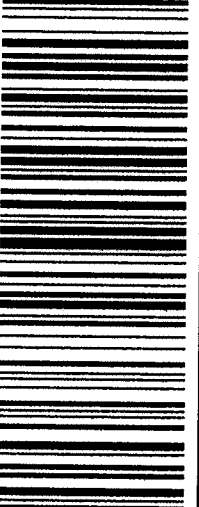

1. Ensure there are no other shipping or tracking labels attached to your package. Select the Print button on the print dialog box that appears. Note: If your browser does not support this function select Print from the File menu to print the label.
2. Fold the printed label at the solid line below. Place the label in a UPS Shipping Pouch. If you do not have a pouch, affix the folded label using clear plastic shipping tape over the entire label.
3. GETTING YOUR SHIPMENT TO UPS
Customers with a Daily Pickup
Your driver will pickup your shipment(s) as usual.
Customers without a Daily Pickup
Take your package to any location of The UPS Store®, UPS Access Point™ location, UPS Drop Box, UPS Customer Center, Staples® or Authorized Shipping Outlet near you. Items sent via UPS Return Services(SM) (including via Ground) are also accepted at Drop Boxes. To find the location nearest you, please visit the Resources area of CampusShip and select UPS Locations.
Schedule a same day or future day Pickup to have a UPS driver pickup all your CampusShip packages.
Hand the package to any UPS driver in your area.

UPS Access Point™
THE UPS STORE
201 W LAKE ST
CHICAGO, IL 60606

UPS Access Point™
THE UPS STORE
27 N WACKER DR
CHICAGO, IL 60606

UPS Access Point™
THE UPS STORE
301 W GRAND AVE
CHICAGO, IL 60654

FOLD HERE

LSAVTCH 312.422.1900 PLUNKETT COONEY CHICAGO 221 NORTH LASALLE STREET CHICAGO IL 60601	0.2LBS LTR	1 OF 1
SHIP TO: ANGELO SMITH SUITE 3B 17900 DIXIE HWY. HOMewood IL 60430-1704		
	IL 604 1-01 	
UPS NEXT DAY AIR SAVER 1P		
TRACKING #: 1Z V4V 204 13 3674 6663		
		
BILLING: P/P		
Client . Matter: 26611.14768 CS 23.6.00 WNIINV90 33.0A 08/2022*  TM		

UPS CampusShip: View/Print Label

1. Ensure there are no other shipping or tracking labels attached to your package. Select the Print button on the print dialog box that appears. Note: If your browser does not support this function select Print from the File menu to print the label.

2. Fold the printed label at the solid line below. Place the label in a UPS Shipping Pouch. If you do not have a pouch, affix the folded label using clear plastic shipping tape over the entire label.

3. GETTING YOUR SHIPMENT TO UPS

- Customers with a Daily Pickup
Your driver will pickup your shipment(s) as usual.

Customers without a Daily Pickup

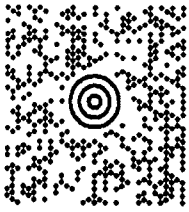

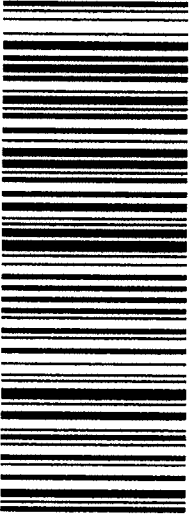

- Take your package to any location of The UPS Store®, UPS Access Point™ location, UPS Drop Box, UPS Customer Center, Staples® or Authorized Shipping Outlet near you. Items sent via UPS Return Services(SM) (including via Ground) are also accepted at Drop Boxes. To find the location nearest you, please visit the Resources area of CampusShip and select UPS Locations.
Schedule a same day or future day Pickup to have a UPS driver pickup all your CampusShip packages.
Hand the package to any UPS driver in your area.

UPS Access Point™
THE UPS STORE
201 W LAKE ST
CHICAGO, IL 60606

UPS Access Point™
THE UPS STORE
27 N WACKER DR
CHICAGO, IL 60606

UPS Access Point™
THE UPS STORE
301 W GRAND AVE
CHICAGO, IL 60654

FOLD HERE

LSAVITCH 312.422.1900 PLUNKETT COONEY CHICAGO 221 NORTH LASALLE STREET CHICAGO IL 60601	0.2LBS LTR	1 OF 1
SHIP TO: ANGELO SMITH 17737 CHERRYWOOD LANE HOMewood IL 60430-1120		
	IL 604 1-01 	
UPS 2ND DAY AIR TRACKING #: 1Z V4V 204 02 3741 8456		
2		
		
BILLING: P/P		
Client . Matter: 26611.14768 CS 23.6.00. WNI NV50 33.0A 08/2022*		
 TM		

UPS CampuShip: View/Print Label

1. Ensure there are no other shipping or tracking labels attached to your package. Select the Print button on the print dialog box that appears. Note: If your browser does not support this function select Print from the File menu to print the label.

2. Fold the printed label at the solid line below. Place the label in a UPS Shipping Pouch. If you do not have a pouch, affix the folded label using clear plastic shipping tape over the entire label.

3. GETTING YOUR SHIPMENT TO UPS

- Customers with a Daily Pickup**
Your driver will pickup your shipment(s) as usual.

Customers without a Daily Pickup

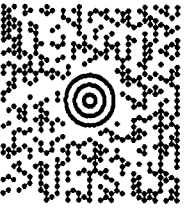

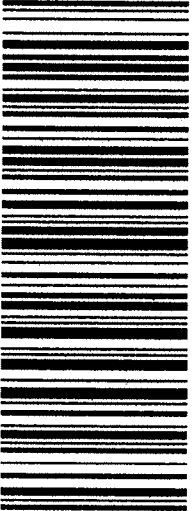

Take your package to any location of The UPS Store®, UPS Access Point™ location, UPS Drop Box, UPS Customer Center, Staples® or Authorized Shipping Outlet near you. Items sent via UPS Return Services(SM) (including via Ground) are also accepted at Drop Boxes. To find the location nearest you, please visit the Resources area of CampuShip and select UPS Locations.
Schedule a same day or future day Pickup to have a UPS driver pickup all your CampuShip packages.
Hand the package to any UPS driver in your area.

UPS Access Point™
THE UPS STORE
201 W LAKE ST
CHICAGO, IL 60606

UPS Access Point™
THE UPS STORE
27 N WACKER DR
CHICAGO, IL 60606

UPS Access Point™
THE UPS STORE
301 W GRAND AVE
CHICAGO, IL 60654

FOLD HERE

SHIP TO: MO'NIQUE SMITH SUITE 3B 17900 DIXIE HWY HOMERWOOD IL 60430-1704		0.2 LBS LTR		1 OF 1	
SAATCHI 312.422.1900 PLUNKETT COONEY CHICAGO 221 NORTH LASALLE STREET CHICAGO IL 60601					
					
IL 604 1-01					
UPS NEXT DAY AIR SAVER 1P					
TRACKING #: 1Z V4V 204 13 9292 8450					
					
BILLING: P/P					
Client . Matter: 26611.14768					
CS 23.6.00. WNI NV50 33.0A 08/2022™					
					

UPS CampussShip: View/Print Label

1. Ensure there are no other shipping or tracking labels attached to your package. Select the Print button on the print dialog box that appears. Note: If your browser does not support this function select Print from the File menu to print the label.
2. Fold the printed label at the solid line below. Place the label in a UPS Shipping Pouch. If you do not have a pouch, affix the folded label using clear plastic shipping tape over the entire label.
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Customers without a Daily Pickup

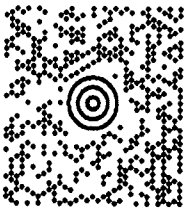

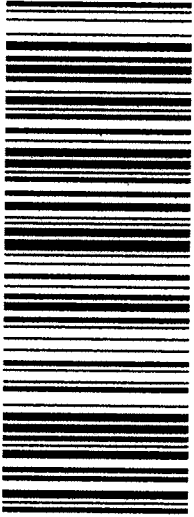

Take your package to any location of The UPS Store®, UPS Access Point™ location, UPS Drop Box, UPS Customer Center, Staples® or Authorized Shipping Outlet near you. Items sent via UPS Return Services(SM) (including via Ground) are also accepted at Drop Boxes. To find the location nearest you, please visit the Resources area of CampussShip and select UPS Locations.
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Hand the package to any UPS driver in your area.

UPS Access Point™
THE UPS STORE
201 W LAKE ST
CHICAGO, IL 60606

UPS Access Point™
THE UPS STORE
27 N WACKER DR
CHICAGO, IL 60606

UPS Access Point™
THE UPS STORE
301 W GRAND AVE
CHICAGO, IL 60654

FOLD HERE

LSAVTCH 312.422.1900 PLUNKETT COONEY CHICAGO 221 NORTH LASALLE STREET CHICAGO IL 60601	0.2 LBS LTR	1 OF 1
SHIP TO: MONIQUE SMITH 17737 CHERRYWOOD LANE HOMewood IL 60430-1120		
	IL 604 1-01 	
UPS NEXT DAY AIR SAVER 1P		
TRACKING #: 1Z V4V 204 13 3937 7048		
		
BILLING: P/P		
Client . Matter: 26611.14768 CS 23.6.00. WNI NV90 33.0A 08/2022*  TM		



328014

Law Firm Ref#: 26611.14768

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

The Huntington National Bank successor to TCF Bank

Case No.: 2021-cv-06419

Plaintiff**VS**

Angelo Smith, individually and d/b/a Smithson Wine and Spirits

Defendant

AFFIDAVIT OF SPECIAL PROCESS SERVER

Heidi Gaucher being first duly sworn on oath, deposes and states the following:

I am over the age of 18 and not a party to this action. I am an employee of It's Your Serve, Inc., Illinois Department of Financial and Professional Regulation number 117.000885.

INDIVIDUAL/ENTITY TO BE SERVED: **Mo'Nique Smith**I, Non-Served the within named **INDIVIDUAL/ENTITY** on **8/29/2022 at 9:00 PM**TYPE OF PROCESS: **Notice of 3rd Alias Citation; 3rd Alias Citation to Discover Assets**ADDRESS WHERE ATTEMPTED: **17737 Cherrywood Lane, Homewood, IL 60430**

NON-SERVICE for reason that after diligent investigation found:

Date/Time	Remarks
8/16/2022 at 10:34 AM	This is a residential address. I spoke with a child who answered the door. When I asked for the subject, a man who I could not see inside the home told the child to close the door. The child closed the door and proceeded to close the binds.
8/18/2022 at 9:30 AM	The documents that I posted previously were no longer there. There was a vehicle in the driveway. I knocked at the door and received no answer.
8/22/2022 at 8:30 PM	There was a vehicle in the driveway. I knocked at the door and received no answer.
8/24/2022 at 1:15 PM	There was a vehicle in the driveway. I knocked at the door and received no answer.
8/26/2022 at 6:20 PM	I knocked at the door and received no answer.
8/29/2022 at 9:00 PM	There was a vehicle in the driveway. Lights were on inside the home. I knocked at the door and received no answer. Therefore, I was unable to contact the subject and effectuate service.

The undersigned verifies that the statements set forth in this Affidavit of Service are true and correct.

State of IllinoisCounty of: CookThis instrument was subscribed and sworn before me on Sept. 1, 2022By Heidi Gaucher (name/s of person/s)

Heidi Gaucher, Process Server

Dated: 9/1/22

Signature of Notary Public



It's Your Serve, Inc.
134 N. LaSalle Street, #1410
Chicago, IL 60602
(312) 855-0303

328014



328013

Law Firm Ref#: 26611.14768

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

The Huntington National Bank successor to TCF Bank

Case No.: 2021-cv-06419

Plaintiff

VS

Angelo Smith, individually and d/b/a Smithson Wine and Spirits

Defendant

AFFIDAVIT OF SPECIAL PROCESS SERVER

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I am over the age of 18 and not a party to this action. I am an employee of It's Your Serve, Inc., Illinois Department of Financial and Professional Regulation number 117.000885.

INDIVIDUAL/ENTITY TO BE SERVED: **Angelo Smith**

I, Non-Served the within named INDIVIDUAL/ENTITY on **8/29/2022 at 9:00 PM**

TYPE OF PROCESS: **Notice of 3rd Alias Citation; 3rd Alias Citation to Discover Assets**

ADDRESS WHERE ATTEMPTED: **17737 Cherrywood Lane, Homewood, IL 60430**

NON-SERVICE for reason that after diligent investigation found:

Date/Time	Remarks
8/16/2022 at 10:34 AM	This is a residential address. I spoke with a child who answered the door. When I asked for the subject, a man who I could not see inside the home told the child to close the door. The child closed the door and proceeded to close the binds.
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8/24/2022 at 1:15 PM	There was a vehicle in the driveway. I knocked at the door and received no answer.
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The undersigned verifies that the statements set forth in this Affidavit of Service are true and correct.

State of IllinoisCounty of: Cook

This instrument was subscribed and sworn before me on Sept 1 2022 (date)

By Heidi Gaucher (name/s of person/s)

Signature of Notary Public



It's Your Serve, Inc.
134 N. LaSalle Street, #1410
Chicago, IL 60602
(312) 855-0303

328013



328012

Law Firm Ref#: 26611.14768

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

The Huntington National Bank successor to TCF Bank

Case No.: 2021-cv-06419

Plaintiff

VS

Angelo Smith, individually and d/b/a Smithson Wine and Spirits

Defendant

AFFIDAVIT OF SPECIAL PROCESS SERVER

Heidi Gaucher being first duly sworn on oath, deposes and states the following:

I am over the age of 18 and not a party to this action. I am an employee of It's Your Serve, Inc., Illinois Department of Financial and Professional Regulation number 117.000885.

INDIVIDUAL/ENTITY TO BE SERVED: Angelo Smith

I, POSTED the documents on 8/16/2022 at 12:45 PM

ADDRESS WHERE POSTED: 17900 Dixie Hwy Ste. 3B, Homewood, IL 60430

POSTED SERVICE: By posting a copy of Notice of 3rd Alias Citation; 3rd Alias Citation to Discover Assets to the unit door.

PRIOR ATTEMPTS:

The undersigned verifies that the statements set forth in this Affidavit of Service are true and correct.

State of ILLINOIS

County of: COOK

This instrument was subscribed and sworn before me on Sept. 1, 2022 (date)

By Heidi Gaucher (name/s of person/s)

Heidi Gaucher
Heidi Gaucher, Process Server

Dated: 9/1/22

Lisa Pierzioch-Mitchell
Signature of Notary Public



753490 -

It's Your Serve, Inc.
134 N. LaSalle Street, #1410
Chicago, IL 60602
(312) 855-0303

328012
Order #:328012/ILPRF441



328011

Law Firm Ref#: 26611.14768

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

The Huntington National Bank successor to TCF Bank

Case No.: 2021-cv-06419

Plaintiff

VS

Angelo Smith, individually and d/b/a Smithson Wine and Spirits

Defendant

AFFIDAVIT OF SPECIAL PROCESS SERVER

Heidi Gaucher being first duly sworn on oath, deposes and states the following:

I am over the age of 18 and not a party to this action. I am an employee of It's Your Serve, Inc., Illinois Department of Financial and Professional Regulation number 117.000885.

TO BE SERVED: Mo'Nique Smith

I, POSTED the documents on 8/16/2022 at 12:34 PM

ADDRESS WHERE POSTED: 17737 Cherrywood Lane, Homewood, IL 60430

POSTED SERVICE: By posting a copy of Notice of 3rd Alias Citation; 3rd Alias Citation to Discover Assets to the front door of the residence.

PRIOR ATTEMPTS:

The undersigned verifies that the statements set forth in this Affidavit of Service are true and correct.

State of ILLINOIS

Heidi Gaucher
Heidi Gaucher, Process Server

County of: COOK

Dated: 9/1/22

This instrument was subscribed and sworn before me on 9-1-2022 (date)

By Heidi Gaucher (name/s of person/s)

[Signature]
Signature of Notary Public



753490

It's Your Serve, Inc.
134 N. LaSalle Street, #1410
Chicago, IL 60602
(312) 855-0303

328011
Order #:328011/ILPRF441



325753

Law Firm Ref#: 26611.14768

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

The Huntington National Bank successor to TCF Bank

Case No.: 2021-cv-06419

Plaintiff

VS

Angelo Smith, individually and d/b/a Smithson Wine and Spirits

Defendant

AFFIDAVIT OF SPECIAL PROCESS SERVER

Heidi Gaucher being first duly sworn on oath, deposes and states the following:

I am over the age of 18 and not a party to this action. I am an employee of It's Your Serve, Inc., Illinois Department of Financial and Professional Regulation number 117.000885.

INDIVIDUAL/ENTITY TO BE SERVED: Mo'Nique Smith

I, POSTED the documents on 8/16/2022 at 12:45 PM

ADDRESS WHERE POSTED: 17900 Dixie Hwy Ste. 3B, Homewood, IL 60430

POSTED SERVICE: By posting a copy of Notice of 3rd Alias Citation; 3rd Alias Citation to Discover Assets to the unit door.

PRIOR ATTEMPTS:

The undersigned verifies that the statements set forth in this Affidavit of Service are true and correct.

State of Illinois

County of: Cook

This instrument was subscribed and sworn before me on 9-1-2022 (date)

By Heidi Gaucher (name/s of person/s)

Heidi Gaucher
Heidi Gaucher, Process Server

Dated: 9/1/22

Lisa Pierdzioch-Mitchell
Signature of Notary Public



#753490

It's Your Serve, Inc.
134 N. LaSalle Street, #1410
Chicago, IL 60602
(312) 855-0303

Order #:325753/ILPRF441 325753



328015

Law Firm Ref#: 26611.14768

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

The Huntington National Bank successor to TCF Bank

Case No.: 2021-cv-0641

Plaintiff**VS**

Angelo Smith, individually and d/b/a Smithson Wine and Spirits

Defendant

AFFIDAVIT OF SPECIAL PROCESS SERVER

Heidi Gaucher being first duly sworn on oath, deposes and states the following:

I am over the age of 18 and not a party to this action. I am an employee of It's Your Serve, Inc., Illinois Department of Financial and Professional Regulation number 117.000885.

INDIVIDUAL/ENTITY TO BE SERVED: **Mo'Nique Smith**I, Non-Served the within named **INDIVIDUAL/ENTITY** on **8/26/2022 at 10:10 AM**TYPE OF PROCESS: **Notice of 3rd Alias Citation; 3rd Alias Citation to Discover Assets**ADDRESS WHERE ATTEMPTED: **17900 Dixie Hwy Ste. 3B, Homewood, IL 60430**

NON-SERVICE for reason that after diligent investigation found:

Date/Time	Remarks
8/16/2022 at 12:45 PM	This is an office. There was no one present in the office.
8/18/2022 at 9:10 AM	The office is closed. The documents that I previously posted were no longer there.
8/22/2022 at 3:15 PM	The office is closed.
8/24/2022 at 1:00 PM	The office is closed.
8/26/2022 at 10:10 AM	The office is closed. Therefore, I was unable to contact the subject and effectuate service.

The undersigned verifies that the statements set forth in this Affidavit of Service are true and correct.

State of IllinoisCounty of: CookThis instrument was subscribed and sworn before me on Sept. 1, 2022 (date)By Heidi Gaucher (name/s of person/s)

Heidi Gaucher, Process Server

Dated: 9/1/22

Signature of Notary Public



753490

It's Your Serve, Inc.
134 N. LaSalle Street, #1410
Chicago, IL 60602
(312) 855-0303



328016

Law Firm Ref#: 26611.14768

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

The Huntington National Bank successor to TCF Bank

Case No.: 2021-cv-06419

**Plaintiff
VS**

Angelo Smith, individually and d/b/a Smithson Wine and Spirits

Defendant

AFFIDAVIT OF SPECIAL PROCESS SERVER

Heidi Gaucher being first duly sworn on oath, deposes and states the following:

I am over the age of 18 and not a party to this action. I am an employee of It's Your Serve, Inc., Illinois Department of Financial and Professional Regulation number 117.000885.

INDIVIDUAL/ENTITY TO BE SERVED: **Angelo Smith**I, Non-Served the within named INDIVIDUAL/ENTITY on **8/26/2022 at 10:10 AM**TYPE OF PROCESS: **Notice of 3rd Alias Citation; 3rd Alias Citation to Discover Assets**ADDRESS WHERE ATTEMPTED: **17900 Dixie Hwy Ste. 3B, Homewood, IL 60430**

NON-SERVICE for reason that after diligent investigation found:

Date/Time	Remarks
8/16/2022 at 12:45 PM	This is an office. There was no one present in the office.
8/18/2022 at 9:10 AM	The office is closed. The documents that I previously posted were no longer there.
8/22/2022 at 3:15 PM	The office is closed.
8/24/2022 at 1:00 PM	The office is closed.
8/26/2022 at 10:10 AM	The office is closed. Therefore, I was unable to contact the subject and effectuate service.

The undersigned verifies that the statements set forth in this Affidavit of Service are true and correct.

State of ILLINOISCounty of: COOKThis instrument was subscribed and sworn before me on Sept. 1 2022 (date)By Heidi Gaucher (name/s of person)

Heidi Gaucher, Process Server

Dated: 9/1/22

Signature of Notary Public



753490

It's Your Serve, Inc.
134 N. LaSalle Street, #1410
Chicago, IL 60602
(312) 855-0303

328016



325750

Law Firm Ref#: 26611.14768

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

The Huntington National Bank successor to TCF Bank

Case No.: 2021-cv-06419

Plaintiff

VS

Angelo Smith, individually and d/b/a Smithson Wine and Spirits

Defendant

AFFIDAVIT OF SPECIAL PROCESS SERVER

Heidi Gaucher being first duly sworn on oath, deposes and states the following:

I am over the age of 18 and not a party to this action. I am an employee of It's Your Serve, Inc., Illinois Department of Financial and Professional Regulation number 117.000885.

TO BE SERVED: Angelo Smith

I, POSTED the documents on 8/16/2022 at 12:34 PM

ADDRESS WHERE POSTED: 17737 Cherrywood Lane, Homewood, IL 60430

POSTED SERVICE: By posting a copy of Notice of 3rd Alias Citation; 3rd Alias Citation to Discover Assets to the front door of the residence.

PRIOR ATTEMPTS:

The undersigned verifies that the statements set forth in this Affidavit of Service are true and correct.

State of ILLINOIS

County of: COOK-

This instrument was subscribed and sworn before me on Sept. 1-2022 (date)

By Heidi Gaucher (name/s of person/s)

Heidi Gaucher
Heidi Gaucher, Process Server

Dated: 9/1/22

Lisa Pierdzioch-Mitchell
Signature of Notary Public



753490

It's Your Serve, Inc.
134 N. LaSalle Street, #1410
Chicago, IL 60602
(312) 855-0303

325750
Order #:325750/ILPRF441



Aug 16, 2022 12:44:12
41.5645406N 87.6659017W

Dixie Highway
Homewood, Cook County 60430



Aug 16, 2022 12:32:55
41.56684789813541N 87.68394891618892W
Cherrywood Lane
Homewood, Cook County 60430

EXHIBIT C

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

The Huntington National Bank successor to TCF
Bank

Plaintiff,

v.

Angelo Smith, individually and d/b/a Smithson
Wine and Spirits
Defendants.

Case No. 2021-cv-06419

Assigned Judge: Matthew F. Kennelly
Magistrate Judge: Gabriel A. Fuentes

ALIAS CITATION TO DISCOVER ASSETS TO THIRD PARTY

To: Mo'Nique Smith – 17900 Dixie Hwy Ste 3B, Homewood, IL 60430

YOU ARE REQUIRED to appear before Judge Matthew F. Kennelly, or any judge sitting in his stead in **Via telephonic hearing** at the Northern District of Illinois, Dirksen Federal Building at 219 Dearborn Street, Chicago, Illinois 60604 on **September 9, 2022 at 8:50AM** to be examined under oath to discover assets or income not exempt from enforcement of a judgment.

**DO NOT APPEAR IN PERSON. UNTIL FURTHER NOTICE, JUDGE MATTHEW F.
KENNELLY WILL CONDUCT HEARING VIA TELEPHONIC HEARINGS.
INSTRUCTIONS ARE BELOW:**

Telephonic Hearing instructions:
Call-in number: (888) 684-8852
Access Code: 746-1053

A Judgment in favor of The Huntington National Bank, successor to TCF Bank, and against Angelo Smith, individually and d/b/a Smithson Wine and Spirits was entered on March 3, 2022 in the court under case number 21-cv-6419 in the sum of \$127,750.00 plus post judgment interest and attorney fees, remains unsatisfied. A copy of which is attached hereto.

Your answer will inform the Court as to property you may hold belonging to Angelo Smith, individually, and d/b/a Smithson Wine and Spirits (Judgment Debtor).

You are PROHIBITED from making or allowing any transfer or other disposition of, or interfering with, any property not exempt from the enforcement of a judgment, a deduction order or garnishment, property belonging to the Judgment Debtors or to which Judgment

Debtors may be entitled to which may thereafter be acquired by or become due to Judgment Debtors, and from paying over or otherwise disposing of any monies not so exempt, which are due to the Judgment Debtors, This prohibition shall remain in effect until further order of court or termination of the proceeding. You are not required to withhold the payment of any monies beyond double the amount of the total sum due the judgment creditor.

If the account consists solely of funds that can be identified as exempt under federal or state law, you are PROHIBITED from FREEZING THE ACCOUNT and YOU MUST RESPOND that the account consists solely of exempt funds. Deposited funds that are exempt under federal and state law include Social Security, SSI, veteran's benefits, Railroad Retirement benefits, public assistance benefits, unemployment compensation benefits and/or circuit breaker property tax relief benefits.

Additionally, pursuant to IL Sup. Court Rule 277 (c)(4), you are required to produce the documents described in the attached Rider.

WARNING: Your failure to comply with the citation proceeding may result in a judgment being entered against you for the unsatisfied amount of this judgment. 735 ILCS 5/2-1402(f)(1).

WARNING: YOUR FAILURE TO APPEAR IN COURT OR FILE YOUR ANSWER AS DIRECTED MAY CAUSE YOU TO BE ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER A CHARGE OF CONTEMPT OF COURT, WHICH MAY BE PUNISHABLE BY IMPRISONMENT IN THE COUNTY JAIL.

CERTIFICATION BY JUDGMENT CREDITOR OR
ATTORNEY FOR JUDGMENT CREDITOR

The undersigned certifies that the above information regarding the amount of judgment, the date of the judgment, or its revival date, the balance due thereon, the name of the court and the number of the case is true and correct.

_____/s/ Matthew L. Hendricksen

WITNESS: _____, _____

Clerk of the Court

Matthew L. Hendricksen (6266720)
Plunkett Cooney, P.C.
221 North LaSalle Street
Suite 3500
Chicago, Illinois 60601
312-670-6900
mhendricksen@plunkettcooney.com



THOMAS G. BRUTON, CLERK

Johnny Zhou

August 8, 2022

DATE

RIDER TO CITATION

1. Real Estate – all documents related to the purchase, sale, transfer, management, lease, and value of, and encumbrances upon (mortgage, liens, ect.) the following from January 1, 2018 forward:
 - A. All real estate in which Angelo Smith, individually and d/b/a Smithson Wine and Spirits (“Debtor”) currently possesses any ownership interest (including but not limited to real estate owned through a trust, jointly owned property, community property, life estates, leaseholds).
 - B. All real estate in which Debtor previously possessed any ownership interest (including but not limited to real estate owned through a trust, jointly owned property, community property, life estates, leaseholds) at any time since January 1, 2018.
2. Investment Accounts, Financial Accounts, Bank Accounts, Brokerage Accounts, Certificates of Deposits, Checking Accounts, Savings Accounts, Safe Deposit Boxes, (collectively “Accounts”) - All (i) monthly statements from January 1, 2018 forward and (ii) copies of checks (front and back) received and drawn in excess of \$1,000 from January 1, 2018 forward for the following:
 - A. All Accounts in which Debtor currently possesses any ownership interest (including but not limited to joint accounts).
 - B. All Accounts in which Debtor previously possessed any ownership interest at any time since January 1, 2018.
 - C. For all Accounts in which Debtor previously possessed an interest (subparagraph B), and transferred or removed his name from the account, all documents related to the transfer or name removal.
 - D. All Accounts for which Debtor was at any time since January 1, 2018 a signatory or authorized user.
3. Assets Related to Transportation – all documents identifying and related to the purchase, transfer, location, value of and encumbrances upon the following:
 - A. All automobiles, aircraft, bicycles, motorcycles, recreational vehicles, helicopters, snow mobiles, golf carts, or boats in which Debtor currently possesses any ownership interest.

- B. All automobiles, aircraft, bicycles, motorcycles, recreational vehicles, helicopters, snow mobiles, golf carts, or boats in which Debtor previously possessed any ownership interest at any time since January 1, 2018.
- 4. Interest in Corporations, Partnerships, Limited Liability Corporations, Joint Ventures, Businesses, or any other Entity (collectively "Entity"). All of the following documents:
 - A. For any non-publicly traded Entity in which Debtor currently possesses any ownership interest:
 - i) all k1s, operating agreements, by laws, articles of organization, minutes, and resolutions, as well as any other documents identifying the ownership structure of the entity from at any time since January 1, 2018 forward,
 - ii) all documents evidencing the value of Debtor's ownership interest in said entity from at any time since January 1, 2018 forward, and
 - iii) all documents identifying any asset (real or personal property) in which said Entity possesses (or possessed) an interest at any time since January 1, 2018 valued at any time in excess of \$5,000
 - B. For any non-publicly traded Entity in which Debtor previously possessed any ownership interest at any time since January 1, 2018:
 - i) all k1s, operating agreements, by laws, articles of organization, minutes, and resolutions, as well as any other documents identifying the ownership structure of the entity from at any time since January 1, 2018 forward,
 - ii) all documents evidencing the value of Debtor's ownership interest in said entity from at any time since January 1, 2018 forward, and
 - iii) all documents identifying any asset (real or personal property) in which said Entity possesses (or possessed) an interest at any time since January 1, 2018 valued at any time in excess of \$5,000
 - iv) all documents related to Debtor's sale or transfer of his interest.
- 5. Receivables
 - A. All documents showing any persons or entities (including the address of said person or entity) that currently owe Debtor money, or which Debtor

reasonably believes will owe Debtor money at any time before January 1, 2018, including but not limited to employers, or loans made by Debtor to any person or entity.

- B. All documents showing the basis for any person or entity owing money to Debtor, the amounts paid since January 1, 2018, and the current amounts due.

6. Financial Reports or Summaries

- A. All documents (including but not limited to personal financial statements, loan applications, tax returns or wealth management reports) which summarize or recite Debtor's assets prepared at any time after to January 1, 2018.
- B. All applications for Credit Debtor has made any time since January 1, 2018, including but not limited to applications made by others whereby Debtor offered, or was required to offer, a personal guaranty.

7. Payments or Transfers

- A. All documents related to all payments or transfers made by Debtor to any person or entity at any time since January 1, 2018 in an amount in excess of \$1,000. All documents showing the date of the transfer, the amount, and the payee or transferee.
- B. All documents related to any payments or transfers received by Debtor from any person or entity at any time since January 1, 2018 in an amount in excess of \$1,000, including payment of wages, salary, dividends, or bonuses. All documents identifying the date of the transfer, the amount, and the payor or transferor.

8. Miscellaneous Personal Property

- A. All documents identifying all personal property (including but not limited to household goods, jewelry, diamonds, gems, televisions, stock in publicly traded companies, mutual funds, bonds, stock options, life insurance policies, annuities, computers, business equipment, inventory, books, art, golf clubs, collections of coins, stamps, or any other item of value), in which Debtor currently possesses any ownership interest which at any time, individually or with its set/collection, was valued in excess of \$2,500, as well as all documents showing the current value of said property. By way of example, if Debtor owns a single golf club/stamp/share of stock that is valued at \$100, it is

not part of this request. If Debtor, however owns a collection of stamps, a set of golf clubs, or shares of stock and the collection/set/group is worth over \$2,500 then it must be identified.

- B. All documents identifying all personal property in which Debtor previously possessed any ownership interest at any time since January 1, 2018 which at any time was valued in excess of \$2,500.
 - C. For all personal property in which Debtor previously possessed an interest listed in subparagraph (B), all documents identifying the person or entity to which Debtor transferred his interest, the date of said transfer, the consideration for the transfer, and the current value of the asset.
- 9. All of Debtor's tax returns and K1s from 2018 forward.
 - 10. All monthly statements from January 1, 2018 to present day for any credit card account belonging to or used by Debtor.
 - 11. Any documents related to any indebtedness of Debtor, including records related to payments upon any indebtedness.
 - 12. Any will or estate planning documents of Debtor, including any trust for which Debtor is the settlor, beneficiary, or trustee.
 - 13. All employment records for Debtor from January 1, 2018 forward.
 - 14. All documents related to all insurance policies for which Debtor is an owner, insured, or beneficiary from January 1, 2018 forward.
 - 15. All documents and communications (including emails) related to Smithson Wine & Spirits.
 - 16. All communications, including emails, letters, text messages, memorandums, and transcripts of oral communications, related to Debtor or any assets described in paragraphs 1-15.

IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF ILLINOIS

The Huntington National Bank

Plaintiff(s),

v.

Angelo Smith

Defendant(s).

Case No. 21 C 6419

Judge Matthew F. Kennelly

AMENDED JUDGMENT IN A CIVIL CASE

Judgment is hereby entered (check appropriate box):

- ☒ in favor of plaintiff(s) The Huntington National Bank
and against defendant(s) Angelo Smith and d/b/a Smithson Wine & Spirits
in the amount of \$ 127, 750

which ☐ includes pre-judgment interest.
☒ does not include pre-judgment interest.

Post-judgment interest accrues on that amount at the rate provided by law from the date of this judgment.

Plaintiff(s) shall recover costs from defendant(s).

-
- ☐ in favor of defendant(s)
and against plaintiff(s)

Defendant(s) shall recover costs from plaintiff(s).

-
- ☐ other:

This action was (check one):

- ☐ tried by a jury with Judge
☐ tried by Judge
☒ decided by Judge Matthew F. Kennelly

presiding, and the jury has rendered a verdict.
without a jury and the above decision was reached.
on a motion .

Date: 3/3/2022

Thomas G. Bruton, Clerk of Court

Melissa Astell

, Deputy Clerk

EXHIBIT D

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

The Huntington National Bank successor to TCF
Bank

Plaintiff,

v.

Angelo Smith, individually and d/b/a Smithson
Wine and Spirits

Defendants.

Case No. 2021-cv-06419

Assigned Judge: Matthew F. Kennelly

Magistrate Judge: Gabriel A. Fuentes

3rd ALIAS CITATION TO DISCOVER ASSETS

To: Angelo Smith – 17737 Cherrywood Ln., Homewood, IL 60430

YOU ARE REQUIRED to appear before Judge Matthew F. Kennelly, or any judge sitting in his stead in **Via telephonic hearing** at the Northern District of Illinois, Dirksen Federal Building at 219 Dearborn Street, Chicago, Illinois 60604 on **September 9, 2022 at 8:50AM** to be examined under oath to discover assets or income not exempt from enforcement of a judgment.

**DO NOT APPEAR IN PERSON. UNTIL FURTHER NOTICE, JUDGE MATTHEW F.
KENNELLY WILL CONDUCT HEARING VIA TELEPHONIC HEARINGS.
INSTRUCTIONS ARE BELOW:**

Telephonic Hearing instructions:

Call-in number: (888) 684-8852

Access Code: 746-1053

A Judgment in favor of The Huntington National Bank, successor to TCF Bank, and against Angelo Smith, individually and d/b/a Smithson Wine and Spirits was entered on March 3, 2022 in the court under case number 21-cv-6419 in the sum of \$127,750.00 plus post judgment interest and attorney fees, remains unsatisfied. A copy of which is attached hereto.

YOU ARE COMMANDED to produce at the examination:

SEE ATTACHED RIDER TO CITATION and ATTACHED INCOME AND ASSET FORM

And all books, paper or records in your possession or control which may contain information concerning the property or income of, or indebtedness due judgment debtor, as well as attached Income and Asset Form.

YOU ARE PROHIBITED from making or allowing any transfer or other disposition of, or interfering with, any property not exempt from execution or garnishment belonging to the judgment debtor or to which the judgment debtor may be entitled or which may be acquired by or become due to the judgment debtor and from paying over or otherwise disposing of any money not so exempt, which is due or becomes due to the judgment debtor, until further order of the court or termination of the proceedings. You are not required to withhold the payment of any money beyond double the amount of the judgment.

WARNING: YOUR FAILURE TO APPEAR IN COURT AS HEREIN DIRECTED MAY CAUSE YOU TO BE ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER AS TO A CHARGE OF CONTEMPT OF COURT, WHICH MAY BE PUNISHABLE BY IMPRISONMENT IN THE COUNTY JAIL.

CERTIFICATION BY JUDGMENT CREDITOR OR
ATTORNEY FOR JUDGMENT CREDITOR

NOTE: THIS CITATION MUST BE ACCOMPANIED AT THE TIME OF SERVICE BY EITHER A COPY OF THE UNDERLYING MEMORANDUM OF JUDGMENT OR A CERTIFICATION BY EITHER THE CLERK THAT ENTERED THE JUDGMENT OR THE ATTORNEY FOR THE JUDGMENT CREDITOR SETTING FORTH THE FOLLOWING:

In the Northern District of Illinois, Eastern Division on March 3, 2022, a judgment in the amount of \$127,750.00 was entered in favor of The Huntington National Bank, successor to TCF Bank and against Angelo Smith individually and d/b/a Smithson Wine & Spirits in Case No. 21-CV-6419 a balance of \$127,750.00 plus post judgment interest and attorney fees remains unsatisfied.

I, the undersigned certifies that the above information regarding the amount of judgment, the date of the judgment, or its revival date, the balance due thereon, the name of the court and the number of the case is true and correct.

_____/s/ Matthew L. Hendricksen

WITNESS: _____, _____

Clerk of the Court

Matthew L. Hendricksen (6266720)
Plunkett Cooney, P.C.
221 North LaSalle Street
Suite 3500
Chicago, Illinois 60601
312-670-6900
mhendricksen@plunkettcooney.com



THOMAS G. BRUTON, CLERK

Johnny Zhou

August 8, 2022

DATE

RIDER TO CITATION

1. Real Estate – all documents related to the purchase, sale, transfer, management, lease, and value of, and encumbrances upon (mortgage, liens, ect.) the following from January 1, 2018 forward:
 - A. All real estate in which Angelo Smith, individually and d/b/a Smithson Wine and Spirits (“Debtor”) currently possesses any ownership interest (including but not limited to real estate owned through a trust, jointly owned property, community property, life estates, leaseholds).
 - B. All real estate in which Debtor previously possessed any ownership interest (including but not limited to real estate owned through a trust, jointly owned property, community property, life estates, leaseholds) at any time since January 1, 2018.
2. Investment Accounts, Financial Accounts, Bank Accounts, Brokerage Accounts, Certificates of Deposits, Checking Accounts, Savings Accounts, Safe Deposit Boxes, (collectively “Accounts”) - All (i) monthly statements from January 1, 2018 forward and (ii) copies of checks (front and back) received and drawn in excess of \$1,000 from January 1, 2018 forward for the following:
 - A. All Accounts in which Debtor currently possesses any ownership interest (including but not limited to joint accounts).
 - B. All Accounts in which Debtor previously possessed any ownership interest at any time since January 1, 2018.
 - C. For all Accounts in which Debtor previously possessed an interest (subparagraph B), and transferred or removed his name from the account, all documents related to the transfer or name removal.
 - D. All Accounts for which Debtor was at any time since January 1, 2018 a signatory or authorized user.
3. Assets Related to Transportation – all documents identifying and related to the purchase, transfer, location, value of and encumbrances upon the following:
 - A. All automobiles, aircraft, bicycles, motorcycles, recreational vehicles, helicopters, snow mobiles, golf carts, or boats in which Debtor currently possesses any ownership interest.

- B. All automobiles, aircraft, bicycles, motorcycles, recreational vehicles, helicopters, snow mobiles, golf carts, or boats in which Debtor previously possessed any ownership interest at any time since January 1, 2018.
- 4. Interest in Corporations, Partnerships, Limited Liability Corporations, Joint Ventures, Businesses, or any other Entity (collectively "Entity"). All of the following documents:
 - A. For any non-publicly traded Entity in which Debtor currently possesses any ownership interest:
 - i) all k1s, operating agreements, by laws, articles of organization, minutes, and resolutions, as well as any other documents identifying the ownership structure of the entity from at any time since January 1, 2018 forward,
 - ii) all documents evidencing the value of Debtor's ownership interest in said entity from at any time since January 1, 2018 forward, and
 - iii) all documents identifying any asset (real or personal property) in which said Entity possesses (or possessed) an interest at any time since January 1, 2018 valued at any time in excess of \$5,000
 - B. For any non-publicly traded Entity in which Debtor previously possessed any ownership interest at any time since January 1, 2018:
 - i) all k1s, operating agreements, by laws, articles of organization, minutes, and resolutions, as well as any other documents identifying the ownership structure of the entity from at any time since January 1, 2018 forward,
 - ii) all documents evidencing the value of Debtor's ownership interest in said entity from at any time since January 1, 2018 forward, and
 - iii) all documents identifying any asset (real or personal property) in which said Entity possesses (or possessed) an interest at any time since January 1, 2018 valued at any time in excess of \$5,000
 - iv) all documents related to Debtor's sale or transfer of his interest.
- 5. Receivables
 - A. All documents showing any persons or entities (including the address of said person or entity) that currently owe Debtor money, or which Debtor

reasonably believes will owe Debtor money at any time before January 1, 2018, including but not limited to employers, or loans made by Debtor to any person or entity.

- B. All documents showing the basis for any person or entity owing money to Debtor, the amounts paid since January 1, 2018, and the current amounts due.

6. Financial Reports or Summaries

- A. All documents (including but not limited to personal financial statements, loan applications, tax returns or wealth management reports) which summarize or recite Debtor's assets prepared at any time after to January 1, 2018.
- B. All applications for Credit Debtor has made any time since January 1, 2018, including but not limited to applications made by others whereby Debtor offered, or was required to offer, a personal guaranty.

7. Payments or Transfers

- A. All documents related to all payments or transfers made by Debtor to any person or entity at any time since January 1, 2018 in an amount in excess of \$1,000. All documents showing the date of the transfer, the amount, and the payee or transferee.
- B. All documents related to any payments or transfers received by Debtor from any person or entity at any time since January 1, 2018 in an amount in excess of \$1,000, including payment of wages, salary, dividends, or bonuses. All documents identifying the date of the transfer, the amount, and the payor or transferor.

8. Miscellaneous Personal Property

- A. All documents identifying all personal property (including but not limited to household goods, jewelry, diamonds, gems, televisions, stock in publicly traded companies, mutual funds, bonds, stock options, life insurance policies, annuities, computers, business equipment, inventory, books, art, golf clubs, collections of coins, stamps, or any other item of value), in which Debtor currently possesses any ownership interest which at any time, individually or with its set/collection, was valued in excess of \$2,500, as well as all documents showing the current value of said property. By way of example, if Debtor owns a single golf club/stamp/share of stock that is valued at \$100, it is

not part of this request. If Debtor, however owns a collection of stamps, a set of golf clubs, or shares of stock and the collection/set/group is worth over \$2,500 then it must be identified.

- B. All documents identifying all personal property in which Debtor previously possessed any ownership interest at any time since January 1, 2018 which at any time was valued in excess of \$2,500.
 - C. For all personal property in which Debtor previously possessed an interest listed in subparagraph (B), all documents identifying the person or entity to which Debtor transferred his interest, the date of said transfer, the consideration for the transfer, and the current value of the asset.
- 9. All of Debtor's tax returns and K1s from 2018 forward.
 - 10. All monthly statements from January 1, 2018 to present day for any credit card account belonging to or used by Debtor.
 - 11. Any documents related to any indebtedness of Debtor, including records related to payments upon any indebtedness.
 - 12. Any will or estate planning documents of Debtor, including any trust for which Debtor is the settlor, beneficiary, or trustee.
 - 13. All employment records for Debtor from January 1, 2018 forward.
 - 14. All documents related to all insurance policies for which Debtor is an owner, insured, or beneficiary from January 1, 2018 forward.
 - 15. All documents and communications (including emails) related to Smithson Wine & Spirits.
 - 16. All communications, including emails, letters, text messages, memorandums, and transcripts of oral communications, related to Debtor or any assets described in paragraphs 1-15.

IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF ILLINOIS

The Huntington National Bank

Plaintiff(s),

v.

Angelo Smith

Defendant(s).

Case No. 21 C 6419

Judge Matthew F. Kennelly

AMENDED JUDGMENT IN A CIVIL CASE

Judgment is hereby entered (check appropriate box):

☒ in favor of plaintiff(s) The Huntington National Bank
and against defendant(s) Angelo Smith and d/b/a Smithson Wine & Spirits
in the amount of \$ 127, 750

which ☐ includes pre-judgment interest.
☒ does not include pre-judgment interest.

Post-judgment interest accrues on that amount at the rate provided by law from the date of this judgment.

Plaintiff(s) shall recover costs from defendant(s).

☐ in favor of defendant(s)
and against plaintiff(s)

Defendant(s) shall recover costs from plaintiff(s).

☐ other:

This action was (check one):

☐ tried by a jury with Judge
☐ tried by Judge
☒ decided by Judge Matthew F. Kennelly

presiding, and the jury has rendered a verdict.
without a jury and the above decision was reached.
on a motion .

Date: 3/3/2022

Thomas G. Bruton, Clerk of Court

Melissa Astell , Deputy Clerk

Answer to Citation Proceeding

(12/01/20) CCM 0128

ANSWER TO CITATION PROCEEDING

Case: _____ v. _____ No.: _____

In answer to the citation and supplemental proceedings served upon _____, s/he answers under oath as follows:

Name: _____ Home Phone No. _____

Home Address: _____

Driver's License No.: _____ Social Security No.: _____

Date of Birth: _____ I am ☐ married ☐ single ☐ divorced. I have _____ dependents.

Primary Email Address: _____

Do you have a job? ☐ Yes ☐ No

I do not have a job, but I support myself through:

Public Aid \$ _____ per month

Unemployment \$ _____ per month

Social Security \$ _____ per month

SSI \$ _____ per month

Pension \$ _____ per month

Other \$ _____ per month

Name of Company I work for: _____

Company's Address: _____

Job: _____

I earn \$ _____ per _____

If self-employed, check here ☐ and list business name and address:

Income from self-employment \$ _____ per year

I have the following benefits with my employer: _____

☐ I do not own any real estate.☐ I own property at _____, with _____.☐ I have a beneficial interest in a land trust. The name and address of the trustee are: _____

The beneficial interest is listed in my name and _____.

☐ There is a mortgage on my property. The mortgage company's name and address are: _____☐ An assignment of beneficial interest in the land trust was signed to secure a loan from _____☐ I have no money in bank accounts, savings & loans, credit unions, money markets, or mutual funds.☐ I have the following accounts:☐ checking account at _____ account balance \$ _____☐ savings account at _____ account balance \$ _____☐ money market or certificate of deposit at _____☐ safe deposit box at _____☐ I own: ☐ a car _____ VIN: _____☐ jewelry: (specify) _____☐ other property described as: _____

Stocks VCR Refrigerator Bonds Stove TV set Microwave Work Tools

Signature

IRIS Y. MARTINEZ, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

EXHIBIT E

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

The Huntington National Bank successor to TCF
Bank

Plaintiff,

v.

Angelo Smith, individually and d/b/a Smithson
Wine and Spirits

Defendants.

Case No. 2021-cv-06419

Assigned Judge: Matthew F. Kennelly

Magistrate Judge: Gabriel A. Fuentes

2nd ALIAS CITATION TO DISCOVER ASSETS TO THIRD PARTY

To: Smithson Venture Capitalist enterprise Corporation – c/o Mo’Nique Smith, registered
agent – 17900 Dixie Hwy Ste 3B, Homewood, IL 60430

YOU ARE REQUIRED to appear before Judge Matthew F. Kennelly, or any judge sitting in his
stead in **Via telephonic hearing** at the Northern District of Illinois, Dirksen Federal Building
at 219 Dearborn Street, Chicago, Illinois 60604 on **September 9, 2022 at 8:50AM** to be
examined under oath to discover assets or income not exempt from enforcement of a
judgment.

**DO NOT APPEAR IN PERSON. UNTIL FURTHER NOTICE, JUDGE MATTHEW F.
KENNELLY WILL CONDUCT HEARING VIA TELEPHONIC HEARINGS.
INSTRUCTIONS ARE BELOW:**

Telephonic Hearing instructions:
Call-in number: (888) 684-8852
Access Code: 746-1053

A Judgment in favor of The Huntington National Bank, successor to TCF Bank, and
against Angelo Smith, individually and d/b/a Smithson Wine and Spirits was entered on
March 3, 2022 in the court under case number 21-cv-6419 in the sum of \$127,750.00 plus
post judgment interest and attorney fees, remains unsatisfied. A copy of which is attached
hereto.

Your answer will inform the Court as to property you may hold belonging to Angelo Smith,
individually, and d/b/a Smithson Wine and Spirits (Judgment Debtor).

You are PROHIBITED from making or allowing any transfer or other disposition of, or
interfering with, any property not exempt from the enforcement of a judgment, a deduction
order or garnishment, property belonging to the Judgment Debtors or to which Judgment

Debtors may be entitled to which may thereafter be acquired by or become due to Judgment Debtors, and from paying over or otherwise disposing of any monies not so exempt, which are due to the Judgment Debtors, This prohibition shall remain in effect until further order of court or termination of the proceeding. You are not required to withhold the payment of any monies beyond double the amount of the total sum due the judgment creditor.

If the account consists solely of funds that can be identified as exempt under federal or state law, you are PROHIBITED from FREEZING THE ACCOUNT and YOU MUST RESPOND that the account consists solely of exempt funds. Deposited funds that are exempt under federal and state law include Social Security, SSI, veteran's benefits, Railroad Retirement benefits, public assistance benefits, unemployment compensation benefits and/or circuit breaker property tax relief benefits.

Additionally, pursuant to IL Sup. Court Rule 277 (c)(4), you are required to produce the documents described in the attached Rider.

WARNING: Your failure to comply with the citation proceeding may result in a judgment being entered against you for the unsatisfied amount of this judgment. 735 ILCS 5/2-1402(f)(1).

WARNING: YOUR FAILURE TO APPEAR IN COURT OR FILE YOUR ANSWER AS DIRECTED MAY CAUSE YOU TO BE ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER A CHARGE OF CONTEMPT OF COURT, WHICH MAY BE PUNISHABLE BY IMPRISONMENT IN THE COUNTY JAIL.

CERTIFICATION BY JUDGMENT CREDITOR OR
ATTORNEY FOR JUDGMENT CREDITOR

The undersigned certifies that the above information regarding the amount of judgment, the date of the judgment, or its revival date, the balance due thereon, the name of the court and the number of the case is true and correct.

_____/s/ Matthew L. Hendricksen

WITNESS: _____, _____

Clerk of the Court

Matthew L. Hendricksen (6266720)
Plunkett Cooney, P.C.
221 North LaSalle Street
Suite 3500
Chicago, Illinois 60601
312-670-6900
mhendricksen@plunkettcooney.com



THOMAS G. BRUTON, CLERK

Johnny Zhou

August 8, 2022

DATE

RIDER TO CITATION

1. Real Estate – all documents related to the purchase, sale, transfer, management, lease, and value of, and encumbrances upon (mortgage, liens, ect.) the following from January 1, 2018 forward:
 - A. All real estate in which Angelo Smith, individually and d/b/a Smithson Wine and Spirits (“Debtor”) currently possesses any ownership interest (including but not limited to real estate owned through a trust, jointly owned property, community property, life estates, leaseholds).
 - B. All real estate in which Debtor previously possessed any ownership interest (including but not limited to real estate owned through a trust, jointly owned property, community property, life estates, leaseholds) at any time since January 1, 2018.
2. Investment Accounts, Financial Accounts, Bank Accounts, Brokerage Accounts, Certificates of Deposits, Checking Accounts, Savings Accounts, Safe Deposit Boxes, (collectively “Accounts”) - All (i) monthly statements from January 1, 2018 forward and (ii) copies of checks (front and back) received and drawn in excess of \$1,000 from January 1, 2018 forward for the following:
 - A. All Accounts in which Debtor currently possesses any ownership interest (including but not limited to joint accounts).
 - B. All Accounts in which Debtor previously possessed any ownership interest at any time since January 1, 2018.
 - C. For all Accounts in which Debtor previously possessed an interest (subparagraph B), and transferred or removed his name from the account, all documents related to the transfer or name removal.
 - D. All Accounts for which Debtor was at any time since January 1, 2018 a signatory or authorized user.
3. Assets Related to Transportation – all documents identifying and related to the purchase, transfer, location, value of and encumbrances upon the following:
 - A. All automobiles, aircraft, bicycles, motorcycles, recreational vehicles, helicopters, snow mobiles, golf carts, or boats in which Debtor currently possesses any ownership interest.

- B. All automobiles, aircraft, bicycles, motorcycles, recreational vehicles, helicopters, snow mobiles, golf carts, or boats in which Debtor previously possessed any ownership interest at any time since January 1, 2018.
- 4. Interest in Corporations, Partnerships, Limited Liability Corporations, Joint Ventures, Businesses, or any other Entity (collectively "Entity"). All of the following documents:
 - A. For any non-publicly traded Entity in which Debtor currently possesses any ownership interest:
 - i) all k1s, operating agreements, by laws, articles of organization, minutes, and resolutions, as well as any other documents identifying the ownership structure of the entity from at any time since January 1, 2018 forward,
 - ii) all documents evidencing the value of Debtor's ownership interest in said entity from at any time since January 1, 2018 forward, and
 - iii) all documents identifying any asset (real or personal property) in which said Entity possesses (or possessed) an interest at any time since January 1, 2018 valued at any time in excess of \$5,000
 - B. For any non-publicly traded Entity in which Debtor previously possessed any ownership interest at any time since January 1, 2018:
 - i) all k1s, operating agreements, by laws, articles of organization, minutes, and resolutions, as well as any other documents identifying the ownership structure of the entity from at any time since January 1, 2018 forward,
 - ii) all documents evidencing the value of Debtor's ownership interest in said entity from at any time since January 1, 2018 forward, and
 - iii) all documents identifying any asset (real or personal property) in which said Entity possesses (or possessed) an interest at any time since January 1, 2018 valued at any time in excess of \$5,000
 - iv) all documents related to Debtor's sale or transfer of his interest.
- 5. Receivables
 - A. All documents showing any persons or entities (including the address of said person or entity) that currently owe Debtor money, or which Debtor

reasonably believes will owe Debtor money at any time before January 1, 2018, including but not limited to employers, or loans made by Debtor to any person or entity.

- B. All documents showing the basis for any person or entity owing money to Debtor, the amounts paid since January 1, 2018, and the current amounts due.

6. Financial Reports or Summaries

- A. All documents (including but not limited to personal financial statements, loan applications, tax returns or wealth management reports) which summarize or recite Debtor's assets prepared at any time after to January 1, 2018.
- B. All applications for Credit Debtor has made any time since January 1, 2018, including but not limited to applications made by others whereby Debtor offered, or was required to offer, a personal guaranty.

7. Payments or Transfers

- A. All documents related to all payments or transfers made by Debtor to any person or entity at any time since January 1, 2018 in an amount in excess of \$1,000. All documents showing the date of the transfer, the amount, and the payee or transferee.
- B. All documents related to any payments or transfers received by Debtor from any person or entity at any time since January 1, 2018 in an amount in excess of \$1,000, including payment of wages, salary, dividends, or bonuses. All documents identifying the date of the transfer, the amount, and the payor or transferor.

8. Miscellaneous Personal Property

- A. All documents identifying all personal property (including but not limited to household goods, jewelry, diamonds, gems, televisions, stock in publicly traded companies, mutual funds, bonds, stock options, life insurance policies, annuities, computers, business equipment, inventory, books, art, golf clubs, collections of coins, stamps, or any other item of value), in which Debtor currently possesses any ownership interest which at any time, individually or with its set/collection, was valued in excess of \$2,500, as well as all documents showing the current value of said property. By way of example, if Debtor owns a single golf club/stamp/share of stock that is valued at \$100, it is

not part of this request. If Debtor, however owns a collection of stamps, a set of golf clubs, or shares of stock and the collection/set/group is worth over \$2,500 then it must be identified.

- B. All documents identifying all personal property in which Debtor previously possessed any ownership interest at any time since January 1, 2018 which at any time was valued in excess of \$2,500.
 - C. For all personal property in which Debtor previously possessed an interest listed in subparagraph (B), all documents identifying the person or entity to which Debtor transferred his interest, the date of said transfer, the consideration for the transfer, and the current value of the asset.
- 9. All of Debtor's tax returns and K1s from 2018 forward.
 - 10. All monthly statements from January 1, 2018 to present day for any credit card account belonging to or used by Debtor.
 - 11. Any documents related to any indebtedness of Debtor, including records related to payments upon any indebtedness.
 - 12. Any will or estate planning documents of Debtor, including any trust for which Debtor is the settlor, beneficiary, or trustee.
 - 13. All employment records for Debtor from January 1, 2018 forward.
 - 14. All documents related to all insurance policies for which Debtor is an owner, insured, or beneficiary from January 1, 2018 forward.
 - 15. All documents and communications (including emails) related to Smithson Wine & Spirits.
 - 16. All communications, including emails, letters, text messages, memorandums, and transcripts of oral communications, related to Debtor or any assets described in paragraphs 1-15.

IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF ILLINOIS

The Huntington National Bank

Plaintiff(s),

v.

Angelo Smith

Defendant(s).

Case No. 21 C 6419

Judge Matthew F. Kennelly

AMENDED JUDGMENT IN A CIVIL CASE

Judgment is hereby entered (check appropriate box):

☒ in favor of plaintiff(s) The Huntington National Bank
and against defendant(s) Angelo Smith and d/b/a Smithson Wine & Spirits
in the amount of \$ 127, 750

which ☐ includes pre-judgment interest.
☒ does not include pre-judgment interest.

Post-judgment interest accrues on that amount at the rate provided by law from the date of this judgment.

Plaintiff(s) shall recover costs from defendant(s).

☐ in favor of defendant(s)
and against plaintiff(s)

Defendant(s) shall recover costs from plaintiff(s).

☐ other:

This action was (check one):

☐ tried by a jury with Judge
☐ tried by Judge
☒ decided by Judge Matthew F. Kennelly

presiding, and the jury has rendered a verdict.
without a jury and the above decision was reached.
on a motion .

Date: 3/3/2022

Thomas G. Bruton, Clerk of Court

Melissa Astell , Deputy Clerk

EXHIBIT F

cyberdriveillinois.com is now ilsos.gov



Office of the Secretary of State Jesse White
ilsos.gov

Corporation/LLC Search/Certificate of Good Standing

Corporation File Detail Report

File Number	72775333
Entity Name	SMITHSON VENTURE CAPITALIST ENTERPRISE CORPORATION
Status	ACTIVE

Entity Information

Entity Type
CORPORATION

Type of Corp
DOMESTIC BCA

Incorporation Date (Domestic)
Friday, 12 June 2020

State
ILLINOIS

Duration Date
PERPETUAL

Agent Information

Name

MO'NIQUE SMITH
Address 17900 DIXIE HWY STE 3B HOMEWOOD , IL 60430
Change Date Friday, 12 June 2020

Annual Report
Filing Date Wednesday, 1 June 2022
For Year 2022

Officers
President Name & Address 17900 DIXIE HWY STE 3B, HOMEWOOD IL 60430
Secretary Name & Address

Assumed Name
ACTIVE SMITHSON BANCORP

[Return to Search](#)

[File Annual Report](#)

[Adopting Assumed Name](#)

[Articles of Amendment Effecting A Name Change](#)

[Change of Registered Agent and/or Registered Office](#)

(One Certificate per Transaction)

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Thu Sep 01 2022



318817

Law Firm Ref#:

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

The Huntington National Bank successor to TCF Bank

Case No.: 2021-cv-06419

Plaintiff

VS

Angelo Smith, individually and d/b/a Smithson Wine and Spirits

Defendant

AFFIDAVIT OF SPECIAL PROCESS SERVER

Heidi Gaucher being first duly sworn on oath, deposes and states the following:

I am over the age of 18 and not a party to this action. I am an employee of It's Your Serve, Inc., Illinois Department of Financial and Professional Regulation number 117.000885.

INDIVIDUAL/ENTITY TO BE SERVED: Smithson Venture Capitalist Enterprise Corporation, c/o Mo'Nique Smith (Registered Agent)

I, Non-Served the within named **INDIVIDUAL/ENTITY** on **5/22/2022 at 1:15 PM**TYPE OF PROCESS: **Notice of Third-Party Citation; Citation to Discover Assets to Third Party**ADDRESS WHERE ATTEMPTED: **17900 Dixie Hwy, Ste 3B, Homewood, IL 60430**

NON-SERVICE for reason that after diligent investigation found:

Date/Time	Remarks
5/10/2022 at 12:00 PM	This is an office. I spoke with an individual (Female, 30 y/o) who would not provide her name. She stated that the subject was not in. She further stated that she would not accept any service documents. She called the subject who stated that I should come back on 5/11 after 11am and that they would be present.
5/11/2022 at 11:45 AM	The subject was not present.
5/13/2022 at 9:30 AM	No one was present in the office.
5/16/2022 at 3:15 PM	The office was closed.
5/17/2022 at 10:43 AM	I called the provided number but I received no answer and the voice mail box was full. I sent a text message to the provided number but I received no answer.
5/22/2022 at 1:15 PM	I called the provided number but I received no answer and the voice mail box was full. I sent a text message to the provided number but I received no answer. Therefore, I was unable to contact the subject and effectuate service.

The undersigned verifies that the statements set forth in this Affidavit of Service are true and correct.

State of IllinoisCounty of: CookThis instrument was subscribed and sworn before me on 6-1-2022 (date)By Heidi Gaucher (name/s of person/s)

Heidi Gaucher, Process Server

Dated: 6/1/22

Signature of Notary Public



318817



318823

Law Firm Ref#:

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION**

The Huntington National Bank successor to TCF Bank

Case No.: **2021-cv-06419****Plaintiff**

VS

Angelo Smith, individually and d/b/a Smithson Wine and Spirits

Defendant

AFFIDAVIT OF SPECIAL PROCESS SERVER

Heidi Gaucher being first duly sworn on oath, deposes and states the following:

I am over the age of 18 and not a party to this action. I am an employee of It's Your Serve, Inc., Illinois Department of Financial and Professional Regulation number 117.000885.

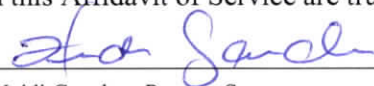
INDIVIDUAL/ENTITY TO BE SERVED: Smithson Venture Capitalist Enterprise Corporation, c/o Mo'Nique Smith (Registered Agent)

I, Non-Served the within named **INDIVIDUAL/ENTITY** on **5/19/2022 at 5:30 PM**TYPE OF PROCESS: **Notice of Third-Party Citation; Citation to Discover Assets to Third Party**ADDRESS WHERE ATTEMPTED: **17737 Cherrywood Ln., Homewood, IL 60430**

NON-SERVICE for reason that after diligent investigation found:

Date/Time	Remarks
5/11/2022 at 12:00 PM	This is a two story single family home. No names were listed. I rang the Nest Doorbell but I received no answer.
5/13/2022 at 9:20 AM	I rang the Nest Doorbell but I received no answer.
5/16/2022 at 3:30 PM	I rang the Nest Doorbell but I received no answer. There were no vehicles present.
5/19/2022 at 5:30 PM	I spoke with a neighbor who stated that the subject lives at the house. I knocked on the front door but I received no answer. Therefore, I was unable to contact the subject and effectuate service.

The undersigned verifies that the statements set forth in this Affidavit of Service are true and correct.

State of IllinoisCounty of: COOKThis instrument was subscribed and sworn before me on 6-1-2022 (date)By Heidi Gaucher (name/s of person/s)

 Heidi Gaucher, Process Server
Dated: 6/1/22

Signature of Notary Public



It's Your Serve, Inc.
134 N. LaSalle Street, #1410
Chicago, IL 60602
(312) 855-0303